

§ 3-401.8. Limitations on credits based on class type and credit for activities other than attending accredited or approved courses.

Subject to the annual credit number limitations set forth below, which apply to all CLE activities, an attorney may receive CLE credit for activities other than attendance at courses offered by accredited CLE sponsors or individual courses approved under § 3-401.7. Credits earned in excess of the annual limit for the following class types will not carry over into the following year:

(A) Up to five (5) hours in the annual reporting period may be obtained through completion of computer-based legal education accredited by the Director.

(B) Up to five (5) hours in the annual reporting period may be obtained for approved "in-house" CLE programs as defined by § 3-401.2(D). In-house CLE must be approved by the Director and application for credit shall be in the manner prescribed by the Nebraska Supreme Court. In order for an in-house CLE program to be approved, the Director must approve it on application of the sponsor no fewer than thirty (30) days before the commencement of the program. The application must include a description of the dates, times, places, faculty members, and the subject matter of the program and an explanation of how the program meets the educational standards of § 3-401.7. In addition, the "in-house" program sponsor must agree to the reporting requirements of § 3-401.9, including payment of the sponsor's fee of \$1 per approved credit hour for each attorney.

(C) Up to three (3) hours in the annual reporting period may be obtained for teaching pre-approved CLE programs. An attorney seeking credit for teaching approved CLE programs must make written application to the Director with an explanation of time spent in preparation of teaching the CLE materials. This credit shall be in addition to credit for attending the approved CLE program. No credit shall be given for teaching directed primarily to candidates for a law degree. No credit shall be given for teaching the same course on more than one occasion in a reporting period.

(D) Attendance at J.D.- or graduate-level law courses offered by American Bar Association (ABA)-accredited law schools, subject to the following conditions:

(1) Credit may be awarded for courses initiated and completed after admission to practice in Nebraska.

(2) Credit toward MCLE requirements shall be for the actual number of class hours attended, but the maximum number of credits that may be earned during any annual reporting period by attending courses offered by ABA-accredited law schools shall be the maximum annual CLE hours required by Neb. Ct. R. § 3-401.4.

(3) The course need not be taken for law school credit toward a degree; auditing a course is

permitted. However, the attorney must comply with all law school rules for attendance, participation, and examination, if any, and complete the course to receive CLE credit.

(4) The law school shall give each attorney a written certification evincing that the attorney has complied with requirements for the course and has completed the course.

(E) Subject to the limitations listed above, for attendance at educational activities that are not approved in advance, provided that the attorney seeking credit submits to the Director a written report which shall include a brief resume of the activity; its dates, subjects, and instructors, and their qualifications; a copy of the program outline or brochure; and an explanation of how the activity meets the educational standards of § 3-401.7, and that the Director approves the credit.

§ 3-401.8(D) and (E) amended February 3, 2010; § 3-401.8 amended June 9, 2010; § 3-401.8(C) amended December 8, 2010, effective January 1, 2011; § 3-401.8 and (E) amended March 28, 2012; § 3-401.8(C) amended October 15, 2014.
